

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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REPUBLIC OF BENIN

Plaintiff,

-against-

BEVERLY MEZEI, ROBIN SHIMOFF and ALFRED
KOLLER,

Defendants.
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: 06CV0870 (JGK) (MHD)
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: **NOTICE OF CROSS-MOTION**
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PLEASE TAKE NOTICE that upon the annexed affirmation with exhibits of Edward R. Finkelstein dated October 30, 2009, the Affirmation of M. Nader Ahari, dated October 22, 2009, the Affidavit of Jacob Selechnik dated October 29, 2009, the Declaration of Robin Shimoff dated October 28, 2009, the Declaration of Beverly Mezei dated September 29, 2006, the Declaration with Exhibit of Alfred Koller dated September 29, 2006, and upon all the prior papers and proceedings had herein, Defendants Robin Shimoff ("Shimoff") and Beverly Mezei ("Mezei") will move this Court, before the Honorable John G. Koeltl at the United States Courthouse located at 500 Pearl Street, New York, New York, on a date to be determined by the Court for an order, (a) pursuant to Fed. R. Civ. P. 56(b), granting Shimoff and Mezei summary judgment

dismissing the Second Amended Complaint as against them, and (b) granting them such other and further relief as the Court deems just and proper in the circumstances.

Dated: New York, New York
October 30, 2009

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